

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
COMPANIES COURT

CLAIM NUMBER: 8402 of 2012

HIS HONOUR JUDGE KEYSER QC
(sitting as a Judge of the High
Court)

7 November 2013



IN THE MATTER of G.D.H. PROPERTIES PLC

and

IN THE MATTER of THE COMPANIES ACT 2006

ORDER

UPON the application by a Claim Form dated 2 November 2012 of David Peter Hartley the Claimant and a member and director of the above named G.D.H Properties Plc (hereinafter called "**the Company**")

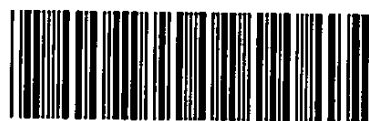
AND UPON hearing Counsel for the Claimant and Counsel for Amanda Cooper, Pamela Smith and Hawfield Properties Limited ("**the Interested Parties**")

AND UPON reading the evidence

AND IT APPEARING that there is no opposition on behalf of Her Majesty in right of Her Duchy of Lancaster to the relief sought by this Claim

AND the Claimant undertaking that:

- (A) the company will not carry on business or operate in any way other than to take the necessary steps to



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(i) pursue a claim through the court against Hawfield Properties Limited, Pamela Smith, Susan Barrett, Amanda Cooper (nee Hartley) and Paula Williams seeking damages

(ii) receive and distribute any award of the court according to law.

referred to in paragraph 8 of the Witness Statement of David Peter Hartley dated 30 October 2012 (the Witness Statement)

- (B) he will inform the Registrar of Companies of the title and court reference number of the proposed claim referred to in paragraph 8 of the Witness Statement immediately after issue
- (C) he will inform the Registrar of Companies immediately on the conclusion of the said proposed litigation or any appeal therefrom or the conclusion of the claim by other means
- (D) he will inform the Registrar of Companies immediately on the receipt and distribution of any award of the court according to law
- (E) the directors of the company will immediately on the expiry of 3 months from the conclusion of the said proposed litigation or any appeal therefrom or on the conclusion of the claim by any other means and on the expiry of 3 months from the date of any receipt and distribution of an award of the court apply to the Registrar of Companies for the voluntary strike off of the company under Section 1003 of the Companies Act 2006 and comply with all the relevant requirements for such an application

- (F) he will unless the said proposed litigation and receipt and distribution of any award of the court is concluded in the interim, at 6 monthly intervals from the date of the order serve on the Registrar of Companies a full and sufficient Witness Statement setting out what steps have been taken to progress the said proposed litigation

AND UPON the Claimant and the Solicitor for the Registrar of Companies (the Defendant) both consenting to paragraphs 1 – 5 of this Order

IT IS ORDERED THAT:

- (1) the name of the above named G.D.H. Properties Plc be restored to the Register of Companies
- (2) if at the date of registration of this Order with the Registrar of Companies the name of the Company is not available the Registrar of Companies shall pursuant to Section 1033 (2)(a)(ii) and (b) of the Companies Act 2006 change the name of the Company to 3335082 Plc
- (3) an Office Copy of the Order be delivered to the Registrar of Companies and pursuant to the above mentioned Act the Company is thereupon to be deemed to have continued in existence as if its name had not been struck off
- (4) The Registrar of Companies do advertise notice of this Order in his official name in the "London Gazette"
- (5) in the event that the Claimant fails to comply with undertaking (F) above the Registrar of Companies be at liberty to commence strike off action in respect of the Company without further notice to the Claimant

- (6) The Claimant's application for a limitation direction as against the Interested Parties be dismissed.
- (7) The Claimant do pay the costs of the Interested Parties summarily assessed in the sum of £11,250 such costs to be payable by 4 00 p m 5 December 2013. In respect of £11,000 of such costs order, the Claimant shall pay the Interested Parties VAT thereon if and insofar as applicable. If the parties cannot agree on issues of VAT they may apply in writing to the Judge (to whom this matter is reserved) for a determination of the issue.
- (8) The Claimant's application for permission to appeal in respect of his application for a limitation direction as against the Interested Parties is refused.



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**CERTIFICATE OF INCORPORATION
ON CHANGE OF NAME**

Company No. 3335082

The Registrar of Companies for England and Wales hereby certifies that
under the Companies Act 2006:

G.D.H. PROPERTIES PLC

a company incorporated as public company, that the company is limited
by shares; having its registered office situated in England/Wales; has
changed its name to:

GDH PROPERTIES (UK) PLC

Given at Companies House on **3rd December 2013**



Companies House



**THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES**